

HOUSE BILL 1567

By Moody

AN ACT to amend Tennessee Code Annotated, Title 36,
relative to retroactive child support awards.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-2-311(a)(11), is amended by
adding the following new subdivision:

(G)

(i) In any action for retroactive child support filed on or after July 1, 2016, retroactive child support shall not be awarded for a period of more than five (5) years from the date the action for support is filed unless the court finds that the obligor deliberately avoided service or otherwise knowingly impeded or delayed the imposition of a support obligation. Upon a finding that the obligor avoided service or impeded the child support obligation, the court may order retroactive support from the date the court determines to be equitable and just.

(ii) The presumption that child support for the benefit of the child be awarded retroactively to the date of the child's birth contained in the child support guidelines shall not apply to any action in which subdivision (a)(11)(G)(i) is applicable.

SECTION 2. Tennessee Code Annotated, Section 36-5-101(e)(1), is amended by
adding the following new subdivision:

(I)

(i) In any action for retroactive child support filed on or after July 1, 2016, retroactive child support shall not be awarded for a period of more than five (5) years from the date the action for support is filed unless the court finds that the

obligor deliberately avoided service or otherwise knowingly impeded or delayed the imposition of a support obligation. Upon a finding that the obligor avoided service or impeded the child support obligation, the court may order retroactive support from the date the court determines to be equitable and just.

(ii) The rebuttable presumption contained in the child support guidelines that child support for the benefit of the child be awarded retroactively to the date of the child's birth shall not apply to any applicable action covered by this subdivision (e)(1)(l).

SECTION 3. This act shall take effect July 1, 2016, the public welfare requiring it.